

STOCKSCHLAEDER, MCDONALD & SULES, P.C., ESQS.
161 WILLIAM STREET, 19TH FLOOR
NEW YORK, NEW YORK 10038
(212) 608-1911
Attorneys for Defendant(s)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

SEAN CARROLL,

Case No.:

07-CIV-9589

Plaintiff(s),

-against-

NOTICE TO ADVERSE
PARTY OF REMOVAL
TO FEDERAL COURT

ABRAHAM MATHEWS,

Defendant(s).

X

TO PLAINTIFF, SEAN CARROLL AND (HIS/HER/ITS) ATTORNEY OF RECORD:

PLEASE TAKE NOTICE THAT a Notice of Removal of this action was filed in the United States District Court for Southern District of NEW YORK on October 26, 2007.

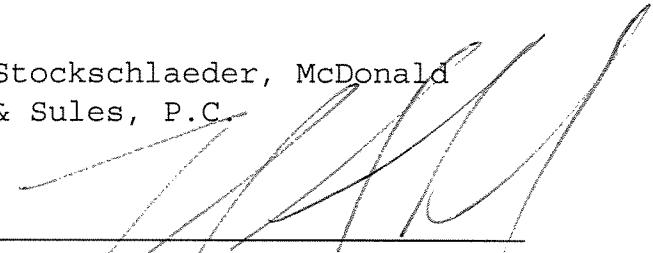
A copy of the said Notice of Removal is attached to this Notice, and is served and filed herewith.

Dated: New York, New York
November 1, 2007

Stockschlaeder, McDonald
& Sules, P.C.

By:

Richard T. Sules (RTS 1665)
Attorney for Defendants
161 William Street, 19th Floor
New York, New York 10038
(212) 608-1911



DRAFTING STEN

JS 44C/SDNY
REV. 1/97
WEB 12/02

CIVIL COVER SHEET

COPY
07 CIV 9589

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
SEAN CARROLLDEFENDANTS
ABRAHAM MATHEWS

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

THOMAS J. LAVIN, ESQ.
2980 Bruckner Blvd., Bronx, NY 10465

ATTORNEYS (IF KNOWN)

Stockschlaeder, McDonald & Sules, P.C.
161 William St., New York, NY 10038

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1332 and is one which may be removed to this Court by defendant(s) pursuant to the provisions of 28 U.S.C. §1441(b) in that it is a civil action between citizens of different states and the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

Has this or a similar case been previously filed in SDNY at any time? No Yes? Judge Previously AssignedIf yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____

Case No. _____

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

ACTIONS UNDER STATUTES

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	
	PERSONAL INJURY	PERSONAL INJURY		
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 610 AGRICULTURE	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> 620 FOOD & DRUG	<input type="checkbox"/> 620 28 USC 158	REAPPORTIONMENT
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> 362 PERSONAL INJURY - MED MALPRACTICE	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> PROPERTY	<input type="checkbox"/> 450 COMMERCE/ICC RATES/ETC
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 340 MARINE LIABILITY	<input type="checkbox"/> 368 ASBESTOS PERSONAL INJURY	<input type="checkbox"/> 21 USC 881	
<input type="checkbox"/> 152 RECOVERY OF DEFOLTED STUDENT LOANS (EXCL VETERANS)	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY	<input type="checkbox"/> 369 PERSONAL PROPERTY	<input type="checkbox"/> LIQUOR LAWS	<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERANS BENEFITS	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 640 RR & TRUCK	<input type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
<input type="checkbox"/> 160 STOCKHOLDERS SUITS	<input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 650 AIRLINE REGS	<input type="checkbox"/> 810 SELECTIVE SERVICE
<input type="checkbox"/> 190 OTHER CONTRACT	<input type="checkbox"/> 360 OTHER PERSONAL INJURY	<input type="checkbox"/> 380 OTHER PERSONAL PROPERTY DAMAGE	<input type="checkbox"/> 660 OCCUPATIONAL SAFETY/HEALTH	<input type="checkbox"/> 850 SECURITIES/ COMMODITIES/ EXCHANGE
<input type="checkbox"/> 195 CONTRACT PRODUCT LIABILITY		<input type="checkbox"/> 385 PROPERTY DAMAGE PRODUCT LIABILITY	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 875 CUSTOMER CHALLENGE
			<input type="checkbox"/> LABOR	<input type="checkbox"/> 861 MIA (1395FF)
				<input type="checkbox"/> 862 BLACK LUNG (923)
				<input type="checkbox"/> 863 DIWC (405(g))
				<input type="checkbox"/> 864 SSID TITLE XVI
				<input type="checkbox"/> 865 RSI (405(g))
				<input type="checkbox"/> 891 AGRICULTURE ACTS
				<input type="checkbox"/> 892 ECONOMIC STABILIZATION ACT
				<input type="checkbox"/> 893 ENVIRONMENTAL MATTERS
				<input type="checkbox"/> 894 ENERGY ALLOCATION ACT
				<input type="checkbox"/> 895 FREEDOM OF INFORMATION ACT
				<input type="checkbox"/> 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE
				<input type="checkbox"/> 950 CONSTITUTIONALITY OF STATE STATUTES
				<input type="checkbox"/> 890 OTHER STATUTORY ACTIONS
	ACTIONS UNDER STATUTES			
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE		
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 20 USC 2255		
<input type="checkbox"/> 230 RENT LEASE & EJECTMENT	<input type="checkbox"/> 443 HOUSING	<input type="checkbox"/> 530 HABEAS CORPUS		
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 444 WELFARE	<input type="checkbox"/> 535 DEATH PENALTY		
<input type="checkbox"/> 246 TORT PRODUCT LIABILITY	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS	<input type="checkbox"/> 540 MANDAMUS & OTHER		
<input type="checkbox"/> 290 ALL OTHER REAL PROPERTY		<input type="checkbox"/> 550 CIVIL RIGHTS		
		<input type="checkbox"/> 555 PRISON CONDITION		

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE: _____

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(SEE REVERSE)

(PLACE AN X IN ONE BOX ONLY)

ORIGIN

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from (Specify District) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judge Judgment

(PLACE AN X IN ONE BOX ONLY)

BASIS OF JURISDICTION

1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY (U.S. NOT A PARTY)

IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1332, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input checked="" type="checkbox"/> 11 <input type="checkbox"/> 1	DEF <input type="checkbox"/> 11 <input checked="" type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> 13 <input checked="" type="checkbox"/> 13	DEF <input type="checkbox"/> 13 <input checked="" type="checkbox"/> 13	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 15 <input type="checkbox"/> 15	DEF <input type="checkbox"/> 15 <input type="checkbox"/> 15
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 12	<input checked="" type="checkbox"/> 12	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 14	<input type="checkbox"/> 14	FOREIGN NATION	<input type="checkbox"/> 16	<input type="checkbox"/> 16

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES) (Calendar Rule 4(A))

2758 Matthews Avenue
Bronx, New York 10467
Bronx County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES) (Calendar Rule 4(A))

41 Grant Avenue
Stamford, CT 06902
Fairfield County

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS FOLEY SQUARE
(DO NOT check either box if this a PRISONER PETITION.)

DATE 10/26/07 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
[x] YES (DATE ADMITTED Mo. 12 Yr. 1987)
Attorney Bar Code # RTS-1665

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

J. Michael McMahon, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

STOCKSCHLAEDER, MCDONALD & SULES, P.C., ESQS.
161 WILLIAM STREET, 19TH FLOOR
NEW YORK, NEW YORK 10038
(212) 608-1911
Attorneys for Defendant(s)

COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

SEAN CARROLL,

Case No.:
07 CIV 9589

Plaintiff(s),

NOTICE OF REMOVAL
OF ACTION UNDER 28

-against-

ABRAHAM MATHEWS,

(DIVERSITY)

Defendant(s).

X

TO THE CLERK OF THE ABOVE ENTITLED COURT:

PLEASE TAKE NOTICE that defendant, ABRAHAM MATHEWS, hereby removes to this Court the state court action described below.

1. On or about September 19, 2007 an action was commenced in the Supreme Court of the State of New York in and for the County of Bronx entitled SEAN CARROLL, Plaintiffs, ABRAHAM MATHEWS Defendant, as Case Number 301048/07.

2. The first date upon which defendants SEAN CARROLL, received a copy of the said complaint was on September 26, 2007 when defendant(s) received a copy of the said complaint and a summons from the said state court in the mail. A copy of the summons and complaint are attached hereto as Exhibit "A".

3. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1332 and is one which may be removed to this Court by defendant(s) pursuant to the provisions of 28 U.S.C. §1441(b) in that it is a civil action between citizens of different states and the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs because plaintiff is a citizen of New York and defendant is a citizen of Connecticut.

4. Defendant(s) is(are) informed and believes that plaintiffs was, and still is, a citizen of the State of New York. Defendant(s), SEAN CARROLL was(were), at the time of the filing of this action, and still is, a citizen of Connecticut and is the only defendant that has been served summons and complaint in this action.

Dated: October 26, 2007

New York, New York

Stockschlaeder, McDonald
& Sules, P.C.

By:

Richard T. Sules (RTS 1665)
Attorney for Defendants
161 William Street, 19th Floor
New York, New York 10038
(212) 608-1911

STOCKSCHLAEDER, MCDONALD & SULES, P.C., ESQS.
161 WILLIAM STREET, 19TH FLOOR
NEW YORK, NEW YORK 10038
(212) 608-1911
Attorneys for Defendant(s)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

SEAN CARROLL,

CASE NO:
07 CIV 9589

Plaintiff(s),

-against-

Demand for
Jury Trial

ABRAHAM MATHEWS,

Defendant(s).

X

Defendant ABRAHAM MATHEWS, hereby demands trial by jury in
this action.

Dated: October 26, 2007
New York, New York

Stockschlaeder, McDonald
& Sules, P.C.

By: _____

Richard T. Sules (RTS 1665)
Attorney for Defendants
161 William Street, 19th Floor
New York, New York 10038
(212) 608-1911

EXHIBIT "A"

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

SEAN CARROLL,

Plaintiff,

-against-

ABRAHAM MATHEWS,

Defendant.

X

Index No.: 301048-07
Date Purchased: 9/19/2007

SUMMONS

Plaintiff designates Bronx
County as the place of trial.

The basis of venue is:
Plaintiff's Residence

Plaintiff resides at:
2758 Matthews Avenue
Bronx, New York 10467

County of Bronx

To the above named Defendant:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorney(s) within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: BRONX, NY
September 17, 2007

NY 10467
22


THOMAS J. LAVIN, ESQ.
THE LAW OFFICE OF THOMAS J. LAVIN
Attorneys for Plaintiff
SEAN CARROLL
2980 Bruckner Boulevard
Bronx, NY 10465
(718) 829-7400

TO: ABRAHAM MATHEWS
41 Grant Avenue
Stamford, CT 06902

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

X

SEAN CARROLL,

Index No.: 301648/07
Date Purchased: 9/19/07

Plaintiff,

-against-

ABRAHAM MATHEWS,

Defendant.

X

Plaintiff, by his attorneys, THE LAW OFFICE OF THOMAS J. SAVIN, complaining of the Defendant, respectfully alleges, upon information and belief:

DK1

1. At all times herein mentioned, Plaintiff SEAN CARROLL was, and still is, a resident of the County of Bronx, State of New York.

A

2. At all times herein mentioned, Defendant ABRAHAM MATHEWS was, and still is, a resident of the County of Fairfield, State of Connecticut.

DK1

3. At all times herein mentioned, Defendant ABRAHAM MATHEWS was the owner of a 2006 Jeep motor vehicle bearing State of Connecticut registration number 242UPU.

DK1

4. At all times herein mentioned, Defendant ABRAHAM MATHEWS operated the aforementioned motor vehicle.

DK1

5. At all times herein mentioned, Defendant ABRAHAM MATHEWS managed the aforementioned motor vehicle.

DK1

6. At all times herein mentioned, Defendant ABRAHAM MATHEWS maintained the aforementioned motor vehicle.

07 SEP 19 AM: 22
SAYVILLE
COUNTY CLERK
BRONX COUNTY
RECEIVED

DK1
7. At all times herein mentioned, Defendant **ABRAHAM MATHEWS** controlled the aforementioned motor vehicle.

DK1
8. At all times herein mentioned, Plaintiff **SEAN CARROLL** was the operator of a 2007 Isuzu motor vehicle bearing New York State registration number 87475JV, owned by Ryder Truck Rental, Inc.

DK1
9. At all times herein mentioned, Southbound New England Thruway, approximately $\frac{1}{2}$ mile south of Exit 13, County of Bronx, State of New York, were public roadways and/or thoroughfares.

DK1
10. That on June 18, 2007, Defendant **ABRAHAM MATHEWS** was operating his motor vehicle at the aforementioned location.

DK1
11. That on June 18, 2007, Plaintiff **SEAN CARROLL** was operating the motor vehicle owned by Ryder Truck Rental, Inc. at the aforementioned location.

DK1
12. That on June 18, 2007, the motor vehicle owned and operated by Defendant **ABRAHAM MATHEWS** came into contact with the motor vehicle operated by Plaintiff **SEAN CARROLL** at the aforementioned location.

D
D
13. That as a result of the aforesaid contact, Plaintiff **SEAN CARROLL** was injured.
14. That the aforesaid occurrence was caused wholly and solely by reason of the negligence of the Defendant without any fault or negligence on the part of the Plaintiff contributing thereto.

D
15. That Defendant was negligent, careless and reckless in the ownership, operation, management, maintenance, supervision, use and control of the aforesaid vehicle and the

Defendant was otherwise negligent, careless and reckless under the circumstances then and there prevailing.

D 16. That by reason of the foregoing, Plaintiff **SEAN CARROLL** sustained severe and permanent personal injuries and was otherwise damaged.

D 17. That Plaintiff **SEAN CARROLL** sustained serious injuries as defined by §5102(d) of the Insurance Law of the State of New York.

D 18. That Plaintiff **SEAN CARROLL** sustained serious injuries and economic loss greater than basic economic loss as defined by §5104 of the Insurance Law of the State of New York.

D 19. That Plaintiff **SEAN CARROLL** is not seeking to recover any damages for which Plaintiff has been reimbursed by no-fault and/or worker's compensation insurance and/or for which no-fault and/or worker's compensation insurance is obligated to reimburse Plaintiff. Plaintiff is seeking to recover only those damages not recoverable through no-fault and/or worker's compensation insurance under the facts and circumstances in this action.

D/CZ 20. That this action falls within one or more of the exceptions set forth in CPLR §1602.

D 21. That by reason of the foregoing, Plaintiff **SEAN CARROLL** has been damaged in a sum of money having a present value that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction of this matter.

WHEREFORE, Plaintiff **SEAN CARROLL** demands judgment against the Defendant in a sum of money having a present value that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction of this matter and Plaintiff requests full and fair

monetary compensation for pain and suffering to be determined by a jury at the time of Trial, together with the costs and disbursements of this action.

Dated: Bronx, NY
September 17, 2007

Yours, etc.,

THOMAS J. LAVIN, ESQ.
THE LAW OFFICE OF THOMAS J. LAVIN
Attorneys for Plaintiff
SEAN CARROLL
2980 Bruckner Boulevard
Bronx, NY 10465
(718) 829-7400

Auto Aff Del
Demands all
Taxes RJS

INDIVIDUAL VERIFICATION

STATE OF NEW YORK)
COUNTY OF BRONX) ss:

That deponent has read the foregoing SUMMONS AND VERIFIED COMPLAINT and knows the contents thereof; that the same are true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters deponent believes them to be true.

Deponent further says that the source of deponent's information and the grounds of deponent's belief as to all matters not stated upon deponent's knowledge are from investigations made on behalf of said Plaintiff.



Sworn to before me on
September 18, 2007

NOTARY PUBLIC

THOMAS J. LAVIN
Notary Public, State of New York.
No. 03-5002952
Qualified in Bronx County
Commission Expires October 13, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

SEAN CARROLL,

CASE NO.
07 CIV 9589

Plaintiff(s),

-against-

ABRAHAM MATHEWS,

Defendant(s).

X

=====

NOTICE OF REMOVAL OF ACTION
UNDER 28, U.S.C. §1441(B) (DIVERSITY)
and Jury Demand

=====

STOCKSCHLAEDER McDONALD & SULES, P.C.
Attorney(s) for Defendant(s)
Office and Post Office Address
161 WILLIAM STREET, 19TH FLOOR
NEW YORK, NEW YORK 10038
Tel. No. (212) 608-1911
File No. 2513

PLEASE TAKE NOTICE that pursuant to CPLR 2103(5)
this office does not accept service of papers by
electronic means

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEAN CARROLL
Plaintiff

-v-
ABRAHAM MATHEWS
Defendant

Case No. 07 Civ 9589

Rule 7.1 Statement

COPY

Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Defendant (a private non-governmental party) certifies that the following are corporate parents, affiliates and/or subsidiaries of said party, which are publicly held.

None

Date: October 26, 2007


Signature of Attorney
RICHARD T. SULER
Attorney Bar Code: RJS-1665

STOCKSCHLAEDER, MCDONALD & SULES, P.C., ESQS.
161 WILLIAM STREET, 19th Floor
NEW YORK, NEW YORK 10038
(212) 608-1911
Attorneys for Defendant(s)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

SEAN CARROLL,

Case No.:
07-CIV-9589

Plaintiff(s),

CERTIFICATE OF SERVICE OF
NOTICE TO ADVERSE PARTY
OF REMOVAL TO FEDERAL
COURT

ABRAHAM MATHEWS,

Defendant(s).

X

JOYCE LEE-HAWKINS, certifies and declares as follows:

I am over the age of 18 years and not a party to this
action.

My address is in Brooklyn, New York, which is located in the
city, county and state where the mailing described below took
place.

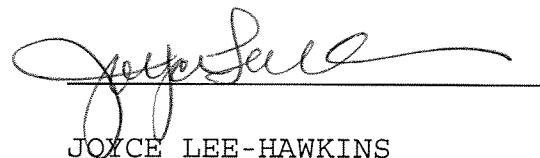
On November 1, 2007 I deposited in the United States Mail
at New York, New York, a copy of the Notice to Adverse Party of
Removal to Federal Court dated November 1, 2007, a copy of which

is attached to this Certificate, addressed to:

The Law Office of Thomas J. Lavin, Attorney for Plaintiff, 2980
Bruckner Boulevard, Bronx, New York 10465.

I declare under penalty of perjury that the foregoing is
true and correct.

Executed on November 1, 2007.



A handwritten signature in black ink, appearing to read "Joyce Lee-Hawkins".

JOYCE LEE-HAWKINS

STOCKSCHLAEDER, McDONALD & SULES, P.C., ESQS.
161 WILLIAM STREET, 19TH FLOOR
NEW YORK, NEW YORK 10038
(212) 608-1911

Attorneys for Defendant(s)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

SEAN CARROLL,

Case No.:
07-CIV-9589

Plaintiff(s),

-against-

ABRAHAM MATHEWS,

Defendant(s).

X

NOTICE TO ADVERSE PARTY OF REMOVAL OF ACTION
TO FEDERAL COURT UNDER 28, U.S.C. §1441(B) (DIVERSITY)

=====

STOCKSCHLAEDER McDONALD & SULES, P.C.
Attorney(s) for Defendant
Office and Post Office Address
161 WILLIAM STREET, 19TH FLOOR
NEW YORK, NEW YORK 10038
Tel. No. (212) 608-1911
File No. 2513

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electronic means